

Remarks

The Office Action mailed 17 June 2003 has been received and reviewed. Claim 6 having been amended, the pending claims are claims 1-32.

Claim 6 has been amended to correct a typographical error (adding a period at the end of the claim).

No new matter has been added as a result of the above amendments.

Reconsideration and withdrawal of the rejections in view of the above amendments and the following comments are respectfully requested.

The 35 U.S.C. §102 Rejections

The Examiner rejected claims 1-4, 6-13, 17-21, and 23-32 under 35 U.S.C. §102(a) as being anticipated by Gygi et al. (*Nature Biotechnology*, 1999;17(10):994-999).

The instant application claims priority to U.S. Provisional Patent Applications 60/203,227, filed May 5, 2000; 60/208,184, filed May 31, 2000; and 60/208,372, filed May 31, 2000. Gygi et al. has a nominal publication date of October 1, 1999 (Exhibit A), which is well within one year of the priority dates (May 5, 2000, and May 31, 2000).

A Declaration Under 37 C.F.R. §1.131 is being submitted concurrently herewith in which Applicant Fred E. Regnier swears that before May 4, 1999, he conceived of and reduced to practice the present invention. It is submitted that the claimed invention has an effective filing date corresponding to the filing date of one or more of the priority applications. The Declaration Under 37 C.F.R. §1.131 thus antedates Gygi et al., thereby removing the rejection of claims 1-4, 6-13, 17-21, and 23-32 as being anticipated by Gygi et al. under 35 U.S.C. §102(a).

Reconsideration and withdrawal of the rejection of claims 1-4, 6-13, 17-21, and 23-32 under 35 U.S.C. §102(a) as being anticipated by Gygi et al. is accordingly respectfully requested.

The Examiner rejected claims 1-4, 6-13, 17-21, and 23-32 under 35 U.S.C. §102(e) as being anticipated by Chait et al. (U.S. Patent No. 6,391,649 B1).

Chait et al. has an effective filing date of May 4, 1999, at the earliest. A Declaration Under 37 C.F.R. §1.131 is being submitted concurrently herewith in which Applicant Fred E. Regnier swears that before May 4, 1999, he conceived of and reduced to practice the present invention. The Declaration Under 37 C.F.R. §1.131 thus antedates Chait et al., thereby removing the rejection of claims 1-4, 6-13, 17-21, and 23-32 as being anticipated by Chait et al. under 35 U.S.C. §102(e).

Reconsideration and withdrawal of the rejection of claims 1-4, 6-13, 17-21, and 23-32 under 35 U.S.C. §102(e) as being anticipated by Chait et al. is accordingly respectfully requested.

The 35 U.S.C. §103(a) Rejection

The Examiner rejected claims 5, 14-16 and 22 under 35 U.S.C. §103(a) as being unpatentable over (Gygi et al. *Nature Biotechnology* 1999;17(10):994-999).

As described hereinabove, the accompanying Declaration Under 37 C.F.R. §1.131 antedates Gygi et al. Applicant, therefore, respectfully requests that the rejection of claims 5, 14-16, and 22 under 35 U.S.C. §103(a) as unpatentable over Gygi et al. be reconsidered and withdrawn.

The Examiner rejected claims 5, 14-16 and 22 under 35 U.S.C. §103(a) as being unpatentable over Chait et al. (U.S. Patent No. 6,391,649 B1).

As described hereinabove, the accompanying Declaration Under 37 C.F.R. §1.131 antedates Chait et al. Applicant, therefore, respectfully requests that the rejection of claims 5, 14-16, and 22 under 35 U.S.C. §103(a) as unpatentable over Chait et al. be reconsidered and withdrawn.

Amendment and Response

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Serial No.: 09/849,924

Confirmation No.: 8955

Filed: 4 May 2001

For: AFFINITY SELECTED SIGNATURE PEPTIDES FOR PROTEIN IDENTIFICATION AND
QUANTIFICATION

Summary

It is respectfully submitted that the pending claims 1-32 are in condition for allowance and notification to that effect is respectfully requested.

The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for
PURDUE RESEARCH FOUNDATION

By

Mueting, Raasch & Gebhardt, P.A.

P.O. Box 581415

Minneapolis, MN 55458-1415

Phone: (612) 305-1220

Facsimile: (612) 305-1228

Customer Number 26813

By: 

Victoria A. Sandberg

Reg. No. 41,287

Direct Dial (612)305-1226

Nov 17, 2003
Date

CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EV073737349US

Date of Deposit: 17 November 2003

The undersigned hereby certifies that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

Name: SAM HER
